

**Public Comment on Proposed Revisions to
Renewable Energy Portfolio Standard (225 CMR 14.00)**

**Submitted by Jan Ameen, Executive Director
Franklin County Solid Waste Management District**

The Franklin County Solid Waste Management District serves 21 municipalities in western Massachusetts. As a representative for those 21 municipalities, I am submitting the following comments against the inclusion of construction and demolition (C&D) wood as an eligible biomass fuel. Construction and demolition wood includes clean and treated wood waste. Treated wood includes pressure-treated wood (copper, chromium, arsenic or CCA), creosote treated wood, “penta” treated wood, and lead painted wood. Empirical testing data of fines and residuals from permitted C&D processors in Massachusetts indicate regular failures of TCLP for lead (attached). This testing data also shows that residuals and fines from C&D processors fail the MA DEP contaminated soil reuse standard for VOCs, SVOCs, and EPH. Numerous reports from the State of Florida indicate conclusively that incinerating treated wood creates toxic ash and poses emission risks. No other New England state allows treated wood to be burned as biofuel. Maine’s facilities explicitly restrict the volume of treated wood received due to permit restrictions in place by the State of Maine.

I strongly oppose the inclusion of all C&D wood in the proposed regulations and urge DOER to remove the reference to this material from the final version. I do not believe that treated C&D wood can be safely incinerated without producing negative environmental results, especially lead pollution. The inclusion of clean, untreated C&D wood is appropriate and fits the characteristics of the other materials included in the definition of eligible biomass fuel. I urge DOER to clarify the type of C&D wood that can be used as biomass fuel in order to safeguard the health and welfare of citizens of the Commonwealth of Massachusetts.